

## CITY OF NEWPORT NEWS PERSONNEL ADMINISTRATIVE MANUAL

Effective Date: 01/01/93

SECTION 1406	GRIEVANCE PROCEDURE FOR PERSONS WITH DISABILITIES

The City of Newport News has adopted the following grievance procedure for the prompt resolution of written complaints alleging discrimination in violation of or noncompliance with any law protecting the rights of persons with disabilities. A person wishing to file a complaint with the City of Newport News shall do so in writing to the City Manager's designee to be known as the Compliance Officer for persons with disabilities. The following procedures shall apply to such complaints.

- 1. All complaints alleging discrimination against persons with disabilities shall be submitted in writing to the Compliance Officer. The complaint shall contain the name, address, and telephone number of the person filing the complaint, and a brief description of the alleged violation.
- 2. The Compliance Office shall keep a record of the complaint and actions taken. The Compliance Officer shall investigate the complaint and give all interested persons an opportunity to provide specific information related to the complaint. A decision by the Compliance Officer shall be rendered within 21 days in an attempt to resolve the complaint.
- 3. If the complaint cannot be resolved to the satisfaction of the complainant by the Compliance Officer, it will be forwarded to a five (5) member compliance committee appointed by the City Manager. The committee may be composed of representatives from City government, the disabled community, business or non-profit sectors, education and the health/medical profession as deemed appropriate to the complaint by the City Manager. The committee will establish procedures for hearing complaints and issue a written decision within 30 days of notification. All proceedings of the committee will be recorded, transcribed and maintained.
- 4. If the complaint cannot be resolved to the complainant's satisfaction by the committee, the complaint will be heard by the City Manager. A determination by the City Manager as to the complaint will be made within 30 days following the hearing. The decision of the City Manager is final.
- 5. A record of action on each request or complaint shall be maintained as part of the records or minutes at each level of the grievance process.

AMENDS/SUPERSEDES

SEC. 202, DATED 10/15/84

REFERENCES

ADA; Rehabilitation Act

APPROVAL: Maronee

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- 6. The individual's right to resolution of the complaint is not impaired by his/her pursuit of other remedies, such as the filing of a complaint with the U.S. Department of Justice or any other appropriate federal agency. Furthermore, the filing of a lawsuit in state or federal district court can occur at any time. The use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- 7. Determinations made by the Compliance Officer, compliance committee and the City Manager will regard to employment and personnel matters shall be consistent with law and written policies.

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AMENDS/SUPERSEDES

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